



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

ENF-RC

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JAN 26 2016

Kerry C. Gee
Vice President
United Park City Mines Company
P.O. Box 1450
Park City, Utah 84060

Re: Notice of Potential CERCLA Liability and Notice of Intent to File a Lien, Uintah Mining District, Summit County, UT (SSID# A8-K3)

Dear Mr. Gee:

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund), the U.S. Environmental Protection Agency (EPA) is responsible for responding to the release or threat of release of hazardous substances, pollutants or contaminants into the environment—that is, for stopping further contamination from occurring and for cleaning up or otherwise addressing any contamination that has already occurred. The EPA has documented that such a release has occurred at the Uintah Mining District Site (Site) located in Summit County, Utah. The EPA has spent public funds to investigate and control releases of hazardous substances or potential releases of hazardous substances at the Site. Based on information presently available to the EPA, the EPA has determined that United Park City Mines Company (UPCM) may be a potentially responsible party under CERCLA for cleanup of the Site or for costs the EPA has incurred in cleaning up the Site.

Explanation of Potential Liability

Under section 107(a) of CERCLA, potentially responsible parties may be liable for costs incurred by the EPA (including interest) in responding to any release or threatened release of hazardous substances at the Site, unless the party can show the applicability of any statutory defense. Potentially responsible parties include current and former owners and operators of the Site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the Site, and persons who accepted hazardous substances for transport and selected the site to which the hazardous substances were delivered.

Based on the information available to EPA, the Agency believes that UPCM may be liable under section 107(a) of CERCLA with respect to the Site, as a current owner of the Site.

Actions Taken at the Site

In accordance with section 104 of CERCLA, 42 U.S.C. § 9604, the EPA has already taken certain response actions and incurred certain costs by addressing conditions at the Site, including a Site evaluation, taking soil samples and conducting oversight activities on removal work being performed.

Administrative Record

Pursuant to section 113(k) of CERCLA, the EPA has established an administrative record of documents forming the basis of the Agency's decision selecting a response action for the Site. The Administrative Record file is available to the public for inspection. The file is housed at the Park City Library, at 1255 Park Avenue, Park City, Utah 84060. In addition, a copy of the Administrative Record File may be reviewed by appointment at the EPA Region 8's Superfund Record Center, at 1595 Wynkoop Street, Denver, Colorado, 80202. An index of the Administrative Record file is included with Enclosure 1 of this letter.

Notice of Intent to File Lien

Section 107(l) of CERCLA, 42 U.S.C. § 9607(l) provides that all response costs for which a person is liable to the United States shall constitute a lien in favor of the United States upon all real property and rights to such property which: (1) belong to such person, and (2) are subject to or affected by a removal or remedial action. Such a Superfund lien applies to all property owned by the potentially responsible party upon which the response action has been taken, not just the portion of the property directly affected by cleanup activities.

As a result of the removal actions taken or to be taken by EPA, EPA hereby notifies UPCM of the Agency's intent to file a lien against UPCM's property that is subject to EPA's removal actions at the Uintah Mining District Site. The addresses and legal descriptions of the properties subject to EPA's lien is included in Enclosure 2 to this letter.

EPA has established a Lien Filing Record consisting of documents relating to its decision to file a notice of the lien. An index of this Record is included in Enclosure 3 to this letter. The Lien Filing Record is kept at the EPA Region 8 offices, and may be reviewed and copied at reasonable times by prior arrangement with:

Amelia Piggott
Enforcement Attorney
U.S. Environmental Protection Agency, Region 8
1595 Wynkoop Street
Denver, Colorado 80202-1129
(303) 312-6410

UPCM may notify EPA in writing within ten (10) calendar days from the date of the mailing of this letter if the company believes that EPA's information or belief supporting the filing of a lien is in error. Also within those ten (10) days, UPCM may request in writing to meet with a neutral EPA official to present any information UPCM has to show that EPA does not have a reasonable basis on which to file a notice of lien. UPCM should describe this information in its written request to meet with an EPA official. Any written submissions or request for a meeting should reference the Uinta Mining District Site and be addressed to the above-referenced regional attorney.

If UPCM would like an informal meeting with EPA staff, in person or by telephone, prior to submitting anything in writing, or prior to meeting with a neutral EPA official selected to review UPCM's written submission, please contact Amelia Piggott, whose address and telephone number appear above.

If EPA receives a written submission or a request for a meeting from UPCM within ten (10) calendar days from the date of the mailing of this letter, EPA will review UPCM's submission or request for a meeting. If EPA agrees, based on UPCM's submission, that it does not have a reasonable basis to file a notice of a lien on the Property, EPA will not file its notice of lien and will so notify the company. If EPA still believes there is a reasonable basis on which to file a lien, UPCM's written submission or request will be referred, along with the Lien Filing Record, to a neutral EPA official selected for the purpose of reviewing the submission or for conducting the meeting.

UPCM may choose to attend a meeting via a telephone conference or in person. EPA will be represented by its enforcement staff, including a representative from the Legal Enforcement Program. UPCM may be represented by counsel. The meeting will be held before a neutral EPA official. This will be an informal meeting in which UPCM may provide EPA with information explaining why EPA's position requires reconsideration. The meeting will not be conducted under rules of evidence or under formal administrative or judicial procedures. The sole issue at the meeting will be whether EPA has a reasonable basis under CERCLA Section 107(l), 42 U.S.C. § 9607(l), on which to file a notice of a lien.

After reviewing UPCM's written submission, or conducting a meeting if one is requested, the neutral EPA official will issue a recommended decision based upon the Lien Filing Record, as well as any written submission and any information provided at the meeting. The recommended decision will state whether EPA has a reasonable basis to file a notice of lien and will be forwarded to an EPA official authorized to execute liens. UPCM will be furnished a copy of the recommended decision and notified of the Agency's action.

Neither UPCM nor EPA waives or is prohibited from asserting any claims or defenses in any subsequent legal or administrative proceeding by the submission of information, a request for and participating at a meeting, or issuance of a recommended decision by a neutral EPA official that EPA has, or does not have, a reasonable basis on which to file a notice of lien.

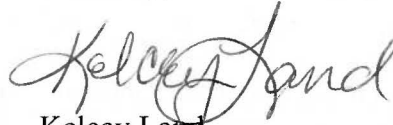
Information that May Assist You

On January 11, 2002, President Bush signed into law the Superfund Small Business Liability Relief and Brownfields Revitalization Act. This Act contains several exemptions and defenses to CERCLA liability, which EPA suggests that all parties evaluate. UPCM may obtain a copy of the law via the Internet at: <http://www.epa.gov/swerosps/bf/sblrbra.htm> and review the EPA's guidance regarding these policies/cleanup/superfund.

EPA has a number of resources for small businesses, including the National Compliance Assistance Clearinghouse and Compliance Assistance Centers which offer various forms of resources to small businesses. UPCM may inquire about these resources at www.epa.gov. In addition, information on contacting the EPA Small Business Ombudsman may be found at www.epa.gov/sbo. Finally, an EPA fact sheet about the Small Business Regulatory Enforcement Fairness Act is Enclosure 4 with this letter.

Please give these matters your immediate attention and respond within the time frames specified above. If you have any questions, please contact Amelia Piggott, EPA Enforcement Attorney, at (303) 312-6410 or Scott Wilder, EPA Enforcement Specialist, at (206) 553-6693. Thank you for your cooperation in this matter.

Sincerely,



Kelcey Land
Director, Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice





Andrea Madigan
Supervisory Attorney
Legal Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice





























Enclosures

cc: Amelia Piggott, 8ENF-L, w/Encloses
Scott Wilder, 8ENF-RC, w/Enclosures
CERCLIS IMC (Dianna Lim), 8EPR-PS w/o Enclosure

Enclosure 1: AR Index

Sorted By: docDate

BOLD GREEN = Metapage (Main Entry), BOLD BLACK = Metapage (Related),  = Non-Releasable (NR)  = Administrative Record (AR)

Doc ID	NR/AR	Doc Date ^	Title	Images
1719413		01-01-1111	Electronic Spreadsheet Compilation of Sample Results for Assessment Reports and Assessment Updates	 1
1719423		01-01-1111	Data Usability Assessment, Park City Source Areas (TDD 0001/1405-04)	 4
1719408		08-14-1998	Innovative Assessment: Prepared by UDEQ DERR - Ontario Mine	 58
1136242		09-13-2000	Analytical Results for Surface Water Monitoring Activities Conducted May 2000 - Addendum to the Sampling and Analysis Plan for Upper Silver Creek Watershed - Revised September 13, 2000	 65
1009054		09-27-2000	INNOVATIVE ASSESSMENT OF THE ONTARIO MINE SITE	 58
1009058		09-28-2000	INNOVATIVE ASSESSMENT FOR THE SILVER KING MILL SITE	 52
1280461		09-28-2000	Innovative Assessment - California/Comstock Mill, Summit County, Utah	 51
1280462		01-19-2001	Innovative Assessment - Treasure Hollow, Summit County, Utah	 59
1136244		02-08-2001	Analytical Results for Surface Water and Sediment Monitoring Activities Conducted September and November 2000 - Addendum to the Sampling and Analysis Plan for Upper Silver Creek Watershed - dated Feb 8, 2001	 70
1002779		12-04-2002	EXPANDED SITE INSPECTION ANALYTICAL RESULTS REPORT	 103
1719418		09-19-2003	Property Assessment Conducted by Park City Staff - Prospector Sampling Report	 7
1719417		08-03-2007	Property Assessment Conducted by Park City Staff - Soil Ordinance Report	 16
1719419		07-17-2008	Property Assessment Conducted by Park City Staff - Letter in reference to a request that the Federal Emergency Management Agency (FEMA) Determine if the property described is located within an identified Special Flood Hazard Area	 10
1283131		08-06-2013	Marsac Mills Site Reassessment (SRA) Report	 54

1719412	A	04-21-2014	Innovative Assessment Update: Draft Treasure Hollow Sampling Memo		14
1719409	A	04-21-2014	Innovative Assessment Update: Draft Ontario Drain Tunnel #1 and Judge Loading Station Sample Memo		13
1719407	A	04-21-2014	Innovative Assessment: Draft Ontario Mill Memo		4
1719406	A	04-21-2014	Innovative Assessment Update: Draft California Mine and Comstock Mine and Mill Site Sampling Memo		17
1719411	A	04-21-2014	Innovative Assessment Update: Silver King Mine and Mill Sampling Memo		19
1719410	A	04-21-2014	Innovative Assessment Update: Draft Ontario Mine Shaft #3 Sampling Memo		12
1719422	A	05-29-2014	Park City Document Review: Summary of Historical Reprot: Innovative Assessment, Innovative Assessment Updates, Expanded Site Inspection, Site Reassessment. Identifies Key Points of Relevant Information, Revised 5/20/2014		5
1719414	A	09-18-2014	Final Sampling and Analysis Plan for Park City Source Area		49
1719420	A	09-25-2014	Analytical Results Package for Soil, Sediment and Surface Water Samples Collected from the Source Areas during September 2014 START Sampling Event A064/A-064, #C140910		68
1719415	A	09-27-2014	Logbook Entries #1 Range from 08/20/2014 through 09/27/2014		14
1719416	A	10-02-2014	Logbook Entries #2 Range from 09/09/2014 through 10/02/2014		20
1719421	A	11-10-2014	Level II Data Validation Summary Report for Analytical Results for Soil, Sediment and Surface Water Samples Collected from the Source Areas During the September 2014 START Sampling Event		4
1559348	A	09-10-2015	Action Memorandum: Request for a Removal Action at the Uintah Mining District Site w/Exhibit A, and Attachment 1		26
1719429	A	10-13-2015	Collection Coversheet for Uintah Mining District Site - Administrative Record File		1

BOLD GREEN = Metapage (Main Entry) , BOLD BLACK = Metapage (Related) ,  = Non-Releasable (NR) **A** = Administrative Record (AR)

ENCLOSURE 2

Account 0457052

<u>Location</u>	<u>Owner</u>	<u>Value</u>	
Parcel Number PCA-S-98-PCMR	Name UNITED PARK CITY MINES CO	Market (2015)	\$363,750
Account Number 0457052	PO BOX 4349	Taxable	\$363,750
Tax District 08 - PARK CITY J,K,U (D-D)	PARK CITY, UT 84060	Tax Area: 08 Tax Rate:	
Acres 145.5		0.008281	
Situs Address		Type Actual	Assessed Acres
Legal A PARCEL OF LAND LOCATED IN SEC 17 THE E1/2 OF SEC 18, SEC 19 & 20, THE S1/2 OF SEC 21, SEC 29 & 30, T2S R4E SLBM & THE E1/2 OF SEC 25, T2S R3E SLBM, SAID PARCEL BEING M/L DESC AS FOL: BEG AT THE SW COR OF SEC 16 T2S R4E SLBM; & RUN TH ALG THE S?LY LINE OF SEC 16 E 287.32 FT; TH ALG THE W?LY LINE OF SEC 21 S 390.37 FT; TH ALG THE W?LY LINE OF SEC 21 S 01*49'17" E 2234.94 FT; TH ALG THE S?LY LINE OF THE N1/2 OF SEC 21 S 89*59'59" E 3204.88 FT; TH S 28*18'45" W 186.56 FT; TH S 29*09'57" W 315.97 FT; TH S 32*04'00" W 296.25 FT; TH S 47*29'30" W 405.07 FT; TH S 50*23'25" W 105.09 FT; TH S 56*00'00" W 94.90 FT; TH S 50*15'25" W 92.50 FT; TH S 40*35'50" W 110.80 FT; TH S 31*30'07" W 96.20 FT; TH S 27*54'51" W 126.00 FT; TH S 38*27'54" W 138.00 FT; TH S 33*26'55" W 136.00 FT; TH S 32*00'03" W 159.20 FT; TH S 32*14'53" W 101.60 FT; TH S 35*09'16" W 88.70 FT; TH S 46*47'25" W 123.00 FT; TH S 56*44'38" W 142.80 FT; TH S 15*21'41" W 116.30 FT; TH S 10*41'54" W 76.70 FT; TH N 71*42'35" W 163.49 FT; TH N 72*54'27" W 85.42 FT; TH S 86*11'16" W 94.42 FT; TH S 77*48'30" W 79.25 FT; TH S 77*19'44" W 85.84 FT; TH S 81*11'10" W 122.88 FT; TH S 67*45'58" W 149.28 FT; TH S 64*44'13" W 136.79 FT; TH S 82*14'00" W 672.44 FT; TH S 77*17'18" W 735.40 FT; TH S 87*35'00" W 778.00 FT; TH S 23°55'00" W 604.00 FT; TH S 10*48'36" W 569.75 FT; TH S 20°48'44" W 698.02 FT; TH S 30*09'00" W 354.14 FT; TH S 71*34'40" W 644.26 FT; TH S 49*33'13" W 616.72 FT;		Land	\$363,750 \$363,750 145.500

TH S 37°33'27" W 779.84 FT; TH S 35°07'44" W 548.54 FT;
TH S 44°09'00" W 1236.63 FT; TH S 79°45'30" W 288.30 FT;
TH S 83°01'30" W 494.40 FT; TH N 75°15'30" W 705.70 FT;
TH N 88°10'30" W 612.40 FT; TH S 79°33'30" W 453.20 FT;
TH N 68°16'30" W 378.70 FT; TH N 60°54'30" W 368.90 FT;
TH N 29°57'30" W 201.20 FT; TH S 56°08'00" W 402.00 FT;
TH S 61°28'00" W 304.10 FT; TH S 50°42'00" W 479.60 FT;
TH S 54°28'00" W 792.00 FT; TH S 65°22'00" W 244.50 FT;
TH S 78°48'00" W 685.80 FT; TH S 86°10'00" W 265.50 FT;
TH S 88°22'00" W 302.90 FT; TH S 79°23'00" W 267.90 FT;
TH S 79°50'00" W 261.50 FT; TH N 23°02'08" W 123.79 FT;
TH N 17°52'03" W 155.35 FT; TH N 05°10'26" W 233.33 FT;
TH N 69°34'42" W 736.28 FT; TH N 52°50'00" W 624.65 FT;
TH N 74°11'18" W 213.72 FT; TH N 36°49'35" W 701.84 FT;
TH ALG THE S?LY LINE OF THE MATILDA LODE, MINERAL SURVEY NO. 4959 N 80°12'00" E 936.47 FT; TH ALG THE E?LY LINE OF THE MATILDA LODE, MINERAL SURVEY NO. 4959 N 21°36'00" W 612.00 FT;
TH ALG THE N?LY LINE OF THE FAIRBANKS FRACTION LODE, MINERAL SURVEY NO. 5364 N 75°31'00" E 388.60 FT;
TH ALG THE W?LY LINE OF THE INDIANA LODE, MINERAL SURVEY NO. 4760 N 35°42'00" W 308.10 FT; TH ALG THE N?LY LINE OF THE INDIANA LODE, MINERAL SURVEY NO. 4760 N 63°32'00" E 372.80 FT;
TH ALG THE S?LY LINE OF THE MALCHITE LODE, LOT 281 S 83°15'00" W 788.31 FT; TH ALG THE SUMMIT-SALT LAKE COUNTY LINE N 21°28'07" E 381.77 FT; TH ALG THE S?LY LINE OF THE AUGUSTA LODE, LOT 122 N 47°11'00" E 145.31 FT; TH ALG THE N?LY LINE OF THE R.K.D. LODE, LOT 287 N 83°15'00" E 489.90 FT; TH ALG THE E?LY LINE OF THE R.K.D. LODE, LOT 287 S 24°08'00" E 21.90 FT; TH ALG THE N?LY LINE OF THE ROSCAMP LODE, LOT 286 N 64°44'00" E 250.80 FT; TH N 129.30 FT; TH N 63°07'00" E 231.20 FT; TH N 56°30'00" E 794.20 FT; TH ALG THE WEST LINE OF SEC 30 N 00°36'00" E 3.70 FT; TH N 45°41'00" E 214.75 FT; TH ALG THE N?LY LINE OF THE HOPE LODE, LOT 299 N 36°45'00" E 147.10 FT; TH ALG THE E?LY LINE OF THE PIQUE NO. 3 LODE, MINERAL SURVEY NO. 4742 N 44°41'00" W

26.10 FT; TH N 04*55'00" W 575.00 FT; TH
 ALG THE S?LY LINE OF THE NORMA LODE,
 MINERAL SURVEY NO. 4177 S 76*24'00" W
 177.28 FT; TH N 01*35'00" E 137.93 FT; TH E
 ALG THE S?LY LINE OF SEC 19 1321.46 FT;
 TH S 00*00'07" W 727.38 FT; TH S 39*30'00" E
 659.89 FT; TH N 50*00'00" E 1050.51 FT; TH N
 45*56'25" E 493.99 FT; TH N 13*09'11" E
 3773.82 FT; TH N 09*05'46" E 4380.03 FT; TH
 N 11*27'54" W 1099.08 FT; TH ALG THE N?LY
 LINE OF THE SELDOM SEEN NO. 4,
 MINERAL SURVEY NO. 5591 N 56*24'00" E
 1500.00 FT; TH ALG THE N?LY LINE OF THE
 SELDOM SEEN NO. 3, MINERAL SURVEY
 5591 N 29*33'00" E 977.60 FT; TH ALG THE N?
 LY LINE OF THE SELDOM SEEN NO. 2,
 MINERAL SURVEY NO. 5591 N 24*18'00" E
 609.56 FT; TH ALG THE S?LY LINE OF SEC 8
 S 89*37'42" E 2375.13 FT; TH ALG THE S?LY
 LINE OF SEC 8 N 89°53'52" E 363.00 FT; TH S
 40*33'27" E 1007.17 FT; TH S 130.35 FT; TH E
 1611.37 FT; TH S 00*41'16" W 1728.36 FT; TH
 ALG THE W?LY LINE OF SEC 16 S 00*41'44"
 E 2670.13 FT TO THE PT OF BEG.

(LESS 7.60 AC PCA-29-A)

(LESS 0.07 AC PCA-29-B)

(LESS 6.90 AC PCA-29-C)

(LESS 15.79 AC PCA-29-D)

(LESS 240.10 AC 478-29 481-454 PCA-30-A)

(LESS 10.00 AC PCA-30-C)

(LESS 0.21 AC PCA-30-G)

(LESS M474-371A 1626-94 MARSAC LOT 61
 PCA-S-384)

(LESS PCA-58-IMP-1)

(LESS PCA-58-IMP-3)

(LESS PCA-58-IMP-4)

(LESS PCA-58-IMP-6)

(LESS PCA-58-IMP-8)

(LESS PCA-58-IMP-9)

(LESS 0.06 AC 1857-1575 PCA-S-98-KK-X)

(LESS 2470.42 AC M/L 1677-555 & 2281-1326
 PCA-S-98-PCMR-1)

(BAL 145.5 AC M/L LYING IN E1/2 OF SEC 20
 & S1/2 OF SEC 21 T2SR4E SLBM)

Child Accounts 0488689

Child Parcels PCA-S-98-PCMR-1

Parent Accounts 9201173

Parent Parcels S-98

Transfers

Instrument Date

08/25/2008

B: 2312 P: 1594

03/02/2015

B: 2281 P: 1326

09/11/2014

B: 2257 P: 0448

09/11/2014

B: 2257 P: 0437

Tax

Images

Tax Year

Taxes

1/22/2016

Account View

*2016	\$3,012.21
2015	\$3,012.21

* Estimated

Uintah Mining Site Lien Filing Index; Enclosure 3

Document Title	Document Date
Summit County Parcel Description	1.22.16
Certified Cost Summary	6.22.15
Notice of Potential CERCLA liability and Notice of Intent to File Lien	1.26.16



U.S. EPA Small Business Resources Information Sheet

The United States Environmental Protection Agency provides an array of resources to help small businesses understand and comply with federal and state environmental laws. In addition to helping small businesses understand their environmental obligations and improve compliance, these resources will also help such businesses find cost-effective ways to comply through pollution prevention techniques and innovative technologies.

Small Business Programs

www.epa.gov/smallbusiness
EPA's Office of Small Business Programs (OSBP) advocates and fosters opportunities for direct and indirect partnerships, contracts, and sub-agreements for small businesses and socio-economically disadvantaged businesses.

EPA's Asbestos Small Business Ombudsman

www.epa.gov/sbo or 1-800-368-5888
The EPA Asbestos and Small Business Ombudsman (ASBO) serves as a conduit for small businesses to access EPA and facilitates communications between the small business community and the Agency.

EPA's Compliance Assistance Homepage

www2.epa.gov/compliance
This page is a gateway industry and statute-specific environmental resources, from extensive web-based information to hotlines and compliance assistance specialists.

EPA's Compliance Assistance Centers

www.assistancecenters.net
EPA's Compliance Assistance Centers provide information targeted to industries with many small businesses. They were developed in partnership with industry, universities and other federal and state agencies.

Agriculture

www.epa.gov/agriculture/

Automotive Recycling

www.ecarcenter.org

Automotive Service and Repair

ccar-greenlink.org/ or 1-888-GRN-LINK

Chemical Manufacturing

www.chemalliance.org

Construction

www.cicacenter.org or 1-734-995-4911

Education

www.campuserc.org

Food Processing

www.fpeac.org

Healthcare

www.hercenter.org

Local Government

www.lgean.org

Metal Finishing

www.nmfrc.org

Paints and Coatings

www.paintcenter.org

Printing

www.pneac.org

Ports

www.portcompliance.org

Transportation

www.tercenter.org

U.S. Border Compliance and Import/Export Issues

www.bordercenter.org

EPA Hotlines, Helplines and Clearinghouses

www2.epa.gov/home/epa-hotlines

EPA sponsors many free hotlines and clearinghouses that provide convenient assistance regarding environmental requirements. Some examples are:

Clean Air Technology Center (CATC) Info-line

www.epa.gov/ttn/catc or 1-919-541-0800

Superfund, TRI, EPCRA, RMP and Oil Information Center

www.epa.gov/superfund/contacts/infocenter/index.htm or 1-800-424-9346

EPA Imported Vehicles and Engines Public Helpline

www.epa.gov/otaq/imports or 734-214-4100

National Pesticide Information Center

www.npic.orst.edu/ or 1-800-858-7378

National Response Center

Hotline to report oil and hazardous substance spills - www.nrc.uscg.mil or 1-800-424-8802

Pollution Prevention Information Clearinghouse (PPIC) -

www.epa.gov/opptintr/ppic or 1-202-566-0799

Safe Drinking Water Hotline -

www.epa.gov/drink/hotline/index.cfm or 1-800-426-4791

Small Business Resources

Stratospheric Ozone Protection Hotline

www.epa.gov/ozone/comments.htm or 1-800-296-1996

Toxic Substances Control Act (TSCA) Hotline

tsca-hotline@epa.gov or 1-202-554-1404

Small Entity Compliance Guides

<http://www.epa.gov/sbrefa/compliance-guides.html>

EPA publishes a Small Entity Compliance Guide (SECG) for every rule for which the Agency has prepared a final regulatory flexibility analysis, in accordance with Section 604 of the Regulatory Flexibility Act (RFA).

Regional Small Business Liaisons

<http://www.epa.gov/sbo/rsbl.htm>

The U.S. Environmental Protection Agency (EPA) Regional Small Business Liaison (RSBL) is the primary regional contact and often the expert on small business assistance, advocacy, and outreach. The RSBL is the regional voice for the EPA Asbestos and Small Business Ombudsman (ASBO).

State Resource Locators

www.envcap.org/statetools

The Locators provide state-specific contacts, regulations and resources covering the major environmental laws.

State Small Business Environmental Assistance Programs (SBEAPs)

www.epa.gov/sbo/507program.htm

State SBEAPs help small businesses and assistance providers understand environmental requirements and sustainable business practices through workshops, trainings and site visits.

EPA's Tribal Portal

www.epa.gov/tribalportal/

The Portal provides access to information on environmental issues, laws, and resources related to federally recognized tribes.

EPA Compliance Incentives

EPA provides incentives for environmental compliance. By participating in compliance assistance programs or voluntarily disclosing and promptly correcting violations before an enforcement action has been initiated, businesses may be eligible for penalty waivers or reductions. EPA has two such policies that may apply to small businesses:

EPA's Small Business Compliance Policy

www2.epa.gov/enforcement/small-businesses-and-enforcement

This Policy offers small businesses special incentives to come into compliance voluntarily.

EPA's Audit Policy

www2.epa.gov/compliance/epas-audit-policy

The Policy provides incentives to all businesses that voluntarily discover, promptly disclose and expeditiously correct their noncompliance.

Commenting on Federal Enforcement Actions and Compliance Activities

The Small Business Regulatory Enforcement Fairness Act (SBREFA) established a SBREFA Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. If you believe that you fall within the Small Business Administration's definition of a small business (based on your North American Industry Classification System designation, number of employees or annual receipts, as defined at 13 C.F.R. 121.201; in most cases, this means a business with 500 or fewer employees), and wish to comment on federal enforcement and compliance activities, call the SBREFA Ombudsman's toll-free number at 1-888-REG-FAIR (1-888-734-3247).

Every small business that is the subject of an enforcement or compliance action is entitled to comment on the Agency's actions without fear of retaliation. EPA employees are prohibited from using enforcement or any other means of retaliation against any member of the regulated community in response to comments made under SBREFA.

Your Duty to Comply

If you receive compliance assistance or submit a comment to the SBREFA Ombudsman or Regional Fairness Boards, you still have the duty to comply with the law, including providing timely responses to EPA information requests, administrative or civil complaints, other enforcement actions or communications. The assistance information and comment processes do not give you any new rights or defenses in any enforcement action. These processes also do not affect EPA's obligation to protect public health or the environment under any of the environmental statutes it enforces, including the right to take emergency remedial or emergency response actions when appropriate. Those decisions will be based on the facts in each situation. The SBREFA Ombudsman and Fairness Boards do not participate in resolving EPA's enforcement actions. Also, remember that to preserve your rights, you need to comply with all rules governing the enforcement process.

EPA is disseminating this information to you without making a determination that your business or organization is a small business as defined by Section 222 of the Small Business Regulatory Enforcement Fairness Act or related provisions.